REMARKS

Claims 1-28 remain pending in this application. Claims 1, 9-10, 14-15, and 26-28 stand rejected, whereas claims 2-6, 8, 11-13, 16-20 and 20-25 stand allowed for which applicants extend their thanks. Claims 7 and 21 stand objected to as depending from rejected bases claims but would be allowable if re-written to include all of the limitations of their base and intervening claims.

35 U.S.C. § 102(b) Rejection of Claims 1, 9-10, 14-15, and 26-28

Claims 1, 9-10, 14-15, and 26-28 stand rejected under 35 U.S.C. § 102(b) as anticipated by stand rejected under 35 U.S.C. § 102(b) as anticipated by the publication "Film grain coding in H.264/AVC", by Martin Schlockermann et al, Joint Video Team ISO/IEC MPEG & ITU-T VCEG, 9th Meeting: 2-5 September 2003, San Diego (XP-02311238) (hereinafter "Schlockermann et al."). In rejecting applicants' claims, the examiner contends that Schlockermann et al. provides an input stream and an input stream filtered of film grain from which film grain information is derived. Further, the examiner contends that Schlockermann et al. characterize the film grain information to obtain one or more film grain parameters. Applicants respectfully traverse the rejection.

Schlockermann et al. describes a film grain simulation technique that employs the decoder as a film grain removal filter. Upon receipt of an input image stream, the decoder will yield image stream filtered of film grain. The filtered image stream gets subtracted from the input image stream to yield a stream containing film grain. However, Schlockermann et al. says nothing about providing any parameters specifying different attributes of the film grain. In other words, Schlockermann et al. provides the raw film grain but no information which would characterize it.

With regard to anticipation, the Federal Circuit has mandated that "Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (*Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)) (emphasis added).

The examiner's rejection fails the aforementioned anticipation test because the examiner has not shown that Schlockermann et al. shows each and every element of the claimed invention, arranged as in the claim. In particular, the examiner has not shown specifically where Schlockermann et al. establish at least one parameter among a set of possible parameters specifying different attributes of the film grain in the image stream, as recited in applicants' claims. Indeed, the Schlockermann et al. publication never mentions the word "parameter" in connection with the film grain information, which demonstrates the failure of Schlockermann et al. to teach all of the features of applicants' claims 1, 9-10, 14-15, and 26-28. Therefore, applicants respectfully request withdrawal of the 35 U.S.C. § 102(b) rejection of claims 1, 9-10, 14-15, and 26-28.

Applicants' claims 27 and 28 possess novelty over Schlockermann et al. for another reason. Both of claims 27 and 28 recite that the film grain information identifies a model specifying how to simulate film grain. Schlockermann et al. contains no such teaching. Therefore, claims 27 and 28 patentably distinguish over Schlockermann et al. for this reason as well.

Conclusion

In view of the foregoing, applicants solicit entry of this amendment and allowance of the claims. If the Examiner cannot take such action, the Examiner should contact the applicant's attorney at (609) 734-6820 to arrange a mutually convenient date and time for a telephonic interview.

No fees are believed due with regard to this Amendment. Please charge any fee or credit any overpayment to Deposit Account No. **07-0832.**

Respectfully submitted,

By: /Robert B. Levy/
Robert B. Levy
Attorney for Applicants
Reg. No. 28,234
Phone (609) 734-6820

Patent Operations

Thomson Licensing LLC
P.O. Box 5312
Princeton, New Jersey 08543-5312
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